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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

MARIAM, DANIEL G

ART UNIT PAPER NUMBER

2621

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/874,187

Applicant(s)

HANSEN, VON L.

Examiner

DANIEL G MARIAM

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-4, 6-7, 9, 11, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnson, et al. (5,237,627).

With regard to claim 1, Johnson, et al. discloses identifying, i.e., recognizing, characters within the scanned data, comparing the characters to a style (i.e., font: a font is generally defined as a set of characters with a similar style) library, i.e., template, containing templates of each style characteristic to determine the style characteristics for each character, and saving the scanned data as processed data containing style characteristics of the scanned data (See col. 4, lines 6-21).

With regard to claim 3, the method of claim 1, further comprising setting the style characteristics in a format such that the processed data containing the style characteristics is readable by a word processing program (See col. 4, lines 6-10; and col. 7, lines 61-68).

With regard to claim 4, the method of claim 1, wherein the comparison of the characters to a style library includes templates for font size, font, font style, effects, or paragraph structure (See col. 4, lines 13-21).

Claim 6 is rejected the same as claim 1 except claim 6 is an apparatus claim. Thus argument analogous to that presented above for claim 1 is equally applicable to claim 6. As to a computer system for processing scanned data, the computer system comprising: a processor (item 602), a memory (item 610), coupled to the processor, storing instructions that are executed by the processor to perform a method of processing the scanned data (See Figure 6).

With regard to claim 7, the computer system of claim 6, further comprising a scanner (item, 606) coupled to the processor and adapted to provide the scanned data (as shown in Fig. 6).

With regard to claim 9, the computer system of claim 6, wherein the method further comprises setting the style characteristics in a format such that the processed data containing the style characteristics is readable by a word processing program (See for example, col. 7, lines 61-68).

Claim 11 is rejected the same as claim 1. Thus, arguments similar to that presented above for claim 1 is equally applicable to claim 11. As to a machine-readable medium for use in a computer system having a processor for processing scanned data, the medium having instructions that are executed by the processor to perform a method of processing the scanned data (See Fig. 6).

Claim 13 is rejected the same as claim 3. Thus, arguments similar to that presented above for claim 3 is equally applicable to claim 13.

3. Claims 1, 6, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka, et al. (5,999,922).

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With regard to claim 1, Tanaka, et al. discloses identifying, i.e., recognizing, characters within the scanned data, comparing the characters to a style (i.e., font: a font is generally defined as a set of characters with a similar style) library, i.e., font memory, containing templates of each style characteristic to determine the style characteristics for each character, and saving the scanned data as processed data containing style characteristics of the scanned data (col. 22, lines 41-63).

Claim 6 is rejected the same as claim 1 except claim 6 is an apparatus claim. Thus, argument analogous to that presented above for claim 1 is equally applicable to claim 6. As to a computer system for processing scanned data, the computer system comprising: a processor (item 82), a memory (item 83), coupled to the processor, storing instructions that are executed by the processor to perform a method of processing the scanned data (See Figure 39).

Claim 11 is rejected the same as claim 1. Thus, arguments similar to that presented above for claim 1 is equally applicable to claim 11. As to a machine-readable medium for use in a computer system having a processor for processing scanned data, the medium having instructions that are executed by the processor to perform a method of processing the scanned data (See Figure 39).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 2, 5, 8, 10, 12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka, et al. (5,999,922) in view of Huang (6,496,600).

With regard to claim 2, Tanaka, et al (hereinafter “Tanaka”) discloses all of the claimed subject matter as already discussed above in paragraph 3, and the arguments are not repeated herein but are incorporated by reference. Tanaka does not explicitly call for preparing an information sheet containing the style characteristics of the scanned data and printing the information sheet. However, Huang (See for example, Figs. 1 & 2 & “item S511”, in Fig. 5) teaches this feature. Therefore, it would have been obvious to incorporate the teaching as taught by Huang into the system of Tanaka, if for no other reason than to organize an information page/s containing various font types, and to transfer this page to an output, such as a printer, for printing the page.

With regard to claim 5, while Tanaka’s font comparison does encompass all of the features described in the claim, Tanaka however, does not expressly call for wherein the comparison of the characters to a style library containing templates is performed in the style characteristic order of font size, font, and font style. It would have been an obvious matter of design choice to replace the font comparison described in Tanaka such that segments of the font can be arranged in the manner recited in this claim, so as to make comparison of characters on the basis of their feature arrangement, since no new or unexpected results are seen to be attained by ordering the parameters as recited in this claim, and the font per se can be used to compare the characters without the claimed ordering of the components.

Claim 8 is rejected the same as claim 2 except claim 8 is an apparatus claim. Thus, argument analogous to that presented above for claim 2 is equally applicable to claim 8.

Claim 10 is rejected the same as claim 5 except claim 10 is an apparatus claim. Thus, argument analogous to that presented above for claim 5 is equally applicable to claim 10.

Claim 12 is rejected the same as claim 2. Thus, argument analogous to that presented above for claim 2 is equally applicable to claim 12.

Claim 14 is rejected the same as claim 5. Thus, argument analogous to that presented above for claim 5 is equally applicable to claim 14.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent Numbers: 3634822, 4944022, 5033098, 5253307, 5367578, 5436983, 5649024, 5875263, and 5889897.


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL G MARIAM whose telephone number is 703-305-4010. The examiner can normally be reached on M-F (7:00-4:30) FIRST FRIDAY OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LEO BOUDREAU can be reached on 703-305-4607. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**DANIEL MARIAM**  
**PRIMARY EXAMINER**

June 1, 2004